

ORDINANCE NUMBER 04-29

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTFIELD,
INDIANA, AMENDING CHAPTER 40, ARTICLE II, SECTION 40-33 OF THE CODE
OF ORDINANCES OF THE TOWN OF WESTFIELD, INDIANA REGARDING ROAD
AND STREET/IMPROVEMENT IMPACT FEES**

WHEREAS, the Town Council has the authority to amend the Code of Ordinances of the Town of Westfield, Indiana ("Town Code"); and

WHEREAS, changes have occurred in the published authority relied upon in Chapter 40, Article II, Section 40-33 of the Town Code; and

WHEREAS, the Town Council desires to amend Chapter 40, Article II, Section 40-33 of the Town Code;

NOW, THEREFORE, BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT THE FOLLOWING AMENDMENT BE MADE TO THE WESTFIELD TOWN ORDINANCES.

Section 1. Chapter 40, Article II, Section 40-33 is hereby amended to read as follows:

Section 40-33 Establishment of road impact fee

(a) It has been determined that the 2003 calculation of the cost per trip is in the amount of \$296. Notwithstanding the evidentiary basis for such calculation, the cost per trip shall be set at \$110. For a single family residence the road impact fee is based upon 9.57 trips per 24 hour period which calculates to \$1053 per residence. Calculations for other types of construction shall be based upon the current edition of the Trip Generation Report, published by the Institute of Transportation Engineers.

(b) If any parcel of real estate considered in the creation of the zone improvement plan undergoes a change in use, redevelopment or a modification which requires an improvement location permit, and creates a need for new infrastructure, an impact fee will only be assessed for the increase in the burden on the infrastructure.

Section 2. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance.

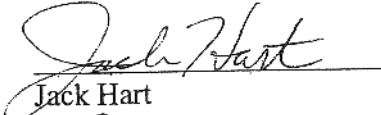
Section 3. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the Town Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana.

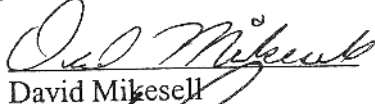
ADOPTED AND PASSED THIS 12 DAY OF July, 2004, BY THE
WESTFIELD TOWN COUNCIL, HAMILTON, INDIANA.

WESTFIELD TOWN COUNCIL

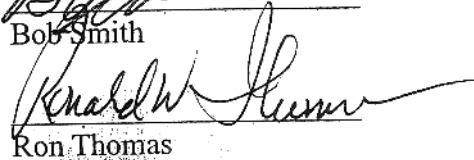
Voting For


Teresa Otis Skelton


Jack Hart


David Mikesell


Bob Smith


Ron Thomas

Voting Against

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

Abstain

Teresa Otis Skelton

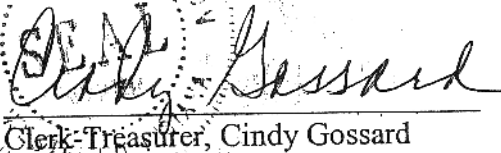
Jack Hart

David Mikesell

Bob Smith

Ron Thomas

ATTEST:


Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager